

# In the United States Court of Federal Claims

Nos. 13-608C and 13-672C (Consolidated)  
(Filed: January 12, 2018)

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BRYNDON FISHER et al.,	*
	*
Plaintiffs,	*
	*
v.	*
	*
THE UNITED STATES,	*
	*
Defendant.	*

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## ORDER

On January 11, 2018, the parties in Fairholme Funds, Inc. v. United States, No. 13-465C, filed a joint status report (1) indicating that they had completed the quick peek discovery procedure previously authorized by the court, and (2) requesting that the court set a deadline of February 22, 2018, for the plaintiffs in that case and the related cases to file an amended complaint.<sup>1</sup> The court granted the parties' request. In accordance with its March 7, 2017 order, the court adopts the following schedule for further proceedings in the above-captioned case:

- Plaintiffs shall file their second amended complaint **no later than Thursday, February 22, 2018**.
- Defendant shall file its omnibus motion to dismiss—seeking the dismissal of this case and all related cases—no later than 120 days after the expiration of the period for plaintiffs to file their amended complaint, i.e., **Friday, June 22, 2018**.
- Plaintiffs shall file their response to defendant's omnibus motion to dismiss no later than ninety days after the expiration of the period for defendant to file its motion, i.e., **Thursday, September 20, 2018**.

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<sup>1</sup> The related cases are Washington Federal v. United States (No. 13-385C); Cacciapalle et al. v. United States (Nos. 13-466C, 13-496C, and 13-542C); Fisher et al. v. United States (Nos. 13-608C and 13-672C); Arrowood Indemnity Co. v. United States (No. 13-698C); Reid v. United States (No. 14-152C); and Rafter v. United States (No. 14-740C).

- Defendant shall file a reply in support of its omnibus motion to dismiss ninety days after the expiration of the period for plaintiffs to file their responses, i.e., **Wednesday, December 19, 2018.**

Further, the court **DENIES WITHOUT PREJUDICE** defendant's motion to dismiss (docket #20), on which briefing was stayed pursuant to the court's April 4, 2014 order. Defendant may incorporate the arguments set forth in that motion in its omnibus motion to dismiss.

**IT IS SO ORDERED.**

s/ Margaret M. Sweeney  
MARGARET M. SWEENEY  
Judge